



Sac and Fox News  
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## Chief's Address To The Nation

Hello Tribal Members,  
I pray this letter finds you and your families in good health, our students doing well with their studies and extracurricular activities, and that God is blessing you in many ways. This month, I am reporting on some very important results, issues, and matters that have or will affect our tribal government.



Chief George Thurman

### Local News

*\*New Gaming Systems, Inc vs. National Indian Gaming Commission, Sac and Fox Nation and Sac and Fox Business Enterprises; No. 508-cv-00698-HE (U.S. Dist. Ct., W.D. Okla.)*

We received notice September 17, 2012 from D. Michael McBride III, Crowe & Dunlevy law firm, that Judge Heaton's Order issued on September 13, 2012 affirming the National

Indian Gaming Commission's decision, finding that the NGS equipment lease and notes constituted an unapproved, and therefore void, management agreement under the Indian Gaming Regulatory Act. Judge Heaton's 22 page decision is meticulous, carefully crafted, conservative and should strongly withstand any appeal. He counters each NGS argument, and even under legal standards most favorable to NGS, he rules against it.

Most likely this will end a seven and a half year legal battle with NGS and unlikely that NGS would appeal to the 10th Circuit. There is still the issue for the Nations' request for attorney's fees which remains pending in the Sac and Fox Nation Courts.

### State News

\*The Oklahoma Tribal Vocational Rehab (OKTVR) Council and the National Department of Veteran's Affairs Tribal Veterans Programs will be hosting a 3-day training on October 23-25, 2012 at the Hard Rock Casino and Hotel in Tulsa, OK.

This training will focus on information sharing and partnership building between the many tribal nations and the Veteran's Administration on a national, state, and local level. Day one will focus on helping participants understand the Veterans Health Administration. Day two will focus on helping participants understand the Veterans Benefits Administration. Day three will focus on helping participants understand the National Cemetery and Memorial Administration and the many National, state, and local service organizations available to veterans. The trainers will be national Veterans Administrations employees and national service officers. Stella Nullake, liaison for the tribal Veterans has passed the information on to our veterans and we will have representation at the training.

\*Recently, Jacque Secondine Hensley stopped by the tribal headquarters to introduce herself as the new Native American Liaison to the Office of Governor Fallin and has hence followed up with an invitation to a Governor's Tribal Roundtable.

All 38 tribe's officials have been invited to discuss issues pertaining to the tobacco compacts, gaming compacts, and the public safety issues.

In order to accommodate the 38 tribes of Oklahoma, six different roundtables will be held throughout the month of October. The roundtable will open with a short presentation given by Steven K. Mullins, General Counsel for the office of the Governor, on the initial compact considerations of the Governor's staff. After his presentation, Mr. Mullins will step out of the meeting and the floor will be opened for discussion on the compact considerations from the tribal perspective. We most definitely will have representation at one of these roundtable meetings to voice concerns on behalf of the Sac and Fox Nation.

### National News

#### CONTRACT SUPPORT COSTS

This past June, in *Salazar v. Ramah Navajo*, the Supreme Court held the federal government liable for failing to pay tribal contractors their full contract support costs. NCAI wishes to alert all Tribes and tribal organizations about deadlines for presenting certain administrative claims to the Indian Health Service (IHS) or the Bureau of Indian Affairs (BIA). The statute of limitations for unpaid IHS and BIA "contract support costs" claims for Fiscal Year 2006 will expire on September 30, 2012 for fiscal year contractors, and on December 31, 2012 for calendar year contractors.

In the case of IHS claims, claims not filed on or before these deadlines will be forever lost. In the case of BIA claims, claims not filed on or before these deadlines may be protected by the current Ramah class action law suit. NCAI cautions, however, that the safest course of action is to file protective claims.

### Background

In *Salazar v. Ramah Navajo Chapter*, 132 S. Ct. 2181 (2012), the Supreme Court held the Government liable for failing to pay tribal contractors their full contract support costs. The Court ruled that tribal contractors can pursue a claim for money damages against the Government and recover damages from the special Judgment Fund administered by the Treasury Department. The *Salazar* case dealt specifically with BIA claims. Another case, *Arctic Slope Native Ass'n, Ltd. v. Sebelius*, No. 11-83, extends the ruling to IHS contract support cost claims.

*BIA Claims.* The *Ramah* case involves a class action composed of all tribal contractors contracting with the BIA.

*IHS Claims.* There is no class



**Pharmacy Remodel:** Work is almost complete on the BHHC pharmacy remodel. The move will be taking place October 18 and 19.

action covering contract support cost claims against IHS. Each and every tribal contractor that suffered an underpayment of contract support costs by IHS must proceed individually and file all of its own claims for all years if it wishes to recover compensation. Staff has prepared letters for my signature and filing of claims on behalf of our Sac and Fox Nation has been completed.

### International News

INTERNATIONAL | UN Special Rapporteur James Anaya Issues Report on the Situation of Indigenous Peoples in the United States

On September 11, the United Nations Special Rapporteur on the Rights of Indigenous Peoples issued his report on the situation of Indigenous peoples in the United States. This report comes as a result of SR Anaya's visit last spring to the United States, where he engaged tribal leaders across the country in a conversation about their current situation, as well as implementation of the UN Declaration of the Rights of Indigenous Peoples.

In his report, the Special Rapporteur provides an overview of significant federal legislation and programs that have been developed over the last few decades. While he welcomes the many new initiatives taken by the Obama Administration to advance the rights of Indigenous

peoples in the last few years, he finds that there is still room for improvement in existing federal programs. The report stresses that the UN Declaration on the Rights of Indigenous Peoples is an important impetus and guide for improving upon existing measures to address the concerns of Indigenous peoples in the United States, and for developing new measures to advance toward reconciliation.

The Special Rapporteur will officially present his report on Tuesday, September 18, 2012, during the current session of the UN Human Rights Council in Geneva.

I reported in an earlier article of my testimony before the UN Special Rapporteur Anaya while he was in Tulsa, OK.

### Short Takes

\*November 3, 2012. RAP Council. 10:00 a.m. Community Building, Capitol Grounds

\*Native Vote! Please make sure you are registered to vote and exercise that right in the upcoming elections.

I appreciate and thank you for the opportunity to serve as your Chief in the local, state, national, and international arenas and to lead our Sac and Fox Nation forward in as we exercise our right of self governance.

Sincerely,  
George Thurman,  
Principal Chief

## Upcoming Events

**October 10, 2012**  
Elders Advisory Committee Meeting  
Shawnee  
Potluck & White Elephant Bingo  
10am - ?

**October 9, 5 pm**  
Sac & Fox Nation Veterans' Meeting  
Elders Bldg Stroud

**October 29, 2012**  
Officers Meeting  
Stroud Elders Bldg.

**November 3, 2012**  
Rap Council  
Sac and Fox Nation Community Building  
10:00 am

**November 11, 2012**  
Veterans Day  
Gourd Danced  
2:00 pm

**November 17, 2012**  
Josh Williamson Memorial Basketball Tournament



## New Cultural Center Open House Planned Later This Month

The new Sac and Fox Nation Cultural Center is progressing right along. Most all of the major construction has been completed including most of the tile and carpeting.

The air-conditioners are up and running as well as the lighting. As you can see the Gallery is

turning out to be a work of art that the Nation can be very proud of. In the center of the gallery is a mosaic of the eleven different clans of the Sac and Fox Nation.

The dedication ceremony for the new facility will be announced later this month. The exact date will be advertised in several local

newspapers and will be posted through out the Nation.

Touch-up painting, trim work, detailing and cabinets are still in progress.

The contractors have done an outstanding job on the project, which will be a great asset to the Tribal complex.